

NO MARINES ON WARSHIPS

PRESIDENT ISSUES AN ORDER WITHDRAWING THEM.

Seamen and Marines Have for Many Years Been Subjected to Marine Aboard Ship—Corps Assigned to Man Naval Vessels and to Be Garrison Duty.

WASHINGTON, Nov. 12.—A practice of the American navy maintained since colonial times was overturned by President Roosevelt to-day when he signed an order withdrawing marines from duty on board vessels of the navy. This order was the culmination of a long fight waged by the seagoing officers against the presence of marines on board vessels. The order promises the stir up a good deal of resentment in the Marine Corps.

For many years the seagoing officers have objected to marines aboard ship for several reasons. One of these was that the custom of placing marines on board vessels was a survival of colonial times, when the crews of the fighting ships were impressed and it was necessary to have a strong force aboard to prevent them from organizing a mutiny. This duty is no longer necessary, and the presence of marines is to do police and sentry duty.

Seamen object to the presence of marines aboard ship, and it was said to-night by a high naval officer that the order was one of the most beneficial that has been issued in many years. The work now assigned to the marines can, it is said, be as well done by seamen.

Another objection to the presence of marines on naval vessels is that in time of war, when their duty is to man the torpedo defense guns, they might be called upon to make up a landing party, leaving the torpedo defense guns without the necessary crews. This is what actually happened during the Spanish war at Santiago when the landing party of marines, which went ashore at Guantanamo Bay and held the small landing place so valuably, were taken from Admiral Sampson's fleet.

At present the marine guard of the battleships consists of about sixty officers and men, and the intention is gradually to withdraw these guards from the vessels and substitute the same number of bluejackets.

It is not the plan of the Navy Department to deprive the marines of all duty. It is proposed that instead of each vessel of a fleet having a small marine guard a transport with a large force of marines and officers accompany the fleet, so that if necessary for any duty they will be at the disposal of the commander in chief of the fleet with which they are serving.

In his last annual report Major-General George E. Elliott, commanding the Marine Corps, recommended that a special transport be provided for the use of the Marine Corps in expeditionary movements, similar to that to Panama last July. It is proposed by the Department that a vessel of this sort be provided for duty with the battleship fleet, so that an adequate force of marines will always be available for use in case of emergency.

The Marine Corps is the oldest branch of the naval service. It was established in 1775 by the Continental Congress, and two battalions of American marines were then authorized for duty abroad when required. They were the fighting men of the old frigates. In the days when two frigates were launched together, the marines with their pikes bore the brunt of the fighting and composed the boarding parties. The bluejackets in those days sailed the vessels and only aided in fighting.

A bill was once introduced in Congress providing for the abolishment of the Marine Corps and the transfer of it to the army, but this effort failed. The withdrawal of the marines from sea duty was undoubtedly opposed by officers of the Marine Corps. Major-General Elliott, commander of marines, said to-day:

"The President is head of the army and the navy and to question or to criticize his action would only be done by a brave soldier. If the order has been issued, it will be carried out strictly and willingly."

President Roosevelt's executive order follows:

In accordance with the power vested in me by section 159, Revised Statutes of the United States the following duties are assigned to the United States Marine Corps:

1. To garrison the different navy yards and naval stations, both within and beyond the continental limits of the United States.

2. To furnish the first line of the mobile defense of naval bases and naval stations beyond the continental limits of the United States.

3. To man such naval defenses and to aid in manning, if necessary, such other defenses as may be required for the defense of navy bases and naval stations beyond the continental limits of the United States.

4. To garrison the Isthmian Canal Zone, Panama.

5. To furnish such garrisons and expeditionary forces for duty beyond the seas as may be necessary in time of peace.

HOST OF CHINESE STUDENTS.

Government to Keep at Least 400 Here While Boxer Repayments Held Out.

WASHINGTON, Nov. 12.—The State Department to-day made public the exact text of the letter in which the return of the Boxer indemnity surplus to China was announced to Prince Yuan Shih Kai, president of the Chinese Board of Foreign Affairs, by Minister Rockhill and also that of the Prince's letter thanking the United States Government. A second letter from Prince Yuan giving details of the project for sending Chinese students here was also given out. It said:

It has now been determined that from the year when the return of the indemnity surplus to China shall be sent to America every ten years for four years, so that 400 students may be in America by the fourth year. From the fifth year and throughout the period of the indemnity payments a minimum of fifty students will be sent each year.

"As the number of students will be very great, there will be difficulty in making suitable arrangements for them. Therefore in the matter of choosing them, as well as in the matter of providing suitable homes for them in America and selecting the schools which they are to enter, we hope to have your advice and assistance. The details of our scheme will have to be elaborated later, but we take this occasion to state the general features of our plan, and ask you to inform the American Government of it. We sincerely hope that the American Government will render us assistance in the matter."

A special mission, consisting of Tang Shao-yi, and an American prince, Yung-fu, and a Chinese official, Mr. Wang, is now en route for Washington to thank the United States for its generosity in returning the indemnity. They were called from Yokohama on November 8 on the steamer Mongolia and are due to arrive in San Francisco on November 20. On November 23 a banquet will be given in honor of the official visitors by the Chinese Consulate-General at San Francisco.

Army and Navy Orders.

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Chief, Samuel V. Ham, Twelfth Infantry, to the President at San Francisco.

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HOTEL FOR COLORED FOLK.

St. James Apartment House on Central Park West Posts the Notice.

The St. James apartment house at 270 Central Park West is to be opened as a hotel for colored people, according to a sign which has been posted on the front door for the last two weeks. The notice, written on an old piece of cardboard, reads: "Central Park West Hotel will be opened about Dec. 1 for colored people."

The St. James apartment house has been vacant for two months and didn't even have a watchman yesterday to explain the sign. The house is at the corner of Ninety-ninth street, with the entrance on the side street. Ninety-ninth street between Central Park West and Columbus avenue is given over to colored people. The Africanization dating back to four years ago. In the last two years the only building on the block not occupied by colored people has been the St. James apartment house, on the southwest corner. This is a five-story building of a style to compare favorably with the buildings which fringe the park and with apartments renting as high as \$75.

Two months ago the few white tenants who had remained there got word to vacate, it was said, and since then it has been empty. The sign in the door is inconspicuous, and the fact that no alterations have been made to convert the place into anything like a hotel has given a good many people in the neighborhood the impression that some one is trying to unload the property. James Bourke, a colored real estate man in the neighborhood, said that the owner was a man named Meyers who had been trying to sell the property to some of the adjoining real estate owners on Central Park West ever since he began to lose his tenants because of the neighborhood. The property sold two years ago for \$70,000.

According to others in the neighborhood, a colored woman named Harris had been negotiating for the property, but the negotiations had fallen through. It was then that the sign appeared announcing that it would be opened as a hotel. Agents of some of the large apartment houses on Central Park West described the whole thing as a bluff.

"Nobody could make such a hotel out of this place," said the real estate man. "Neither would it pay to rent the apartment to colored tenants because of the value of the ground."

POSTAL DEFICIT \$16,910,278.

Nearly Ten Million Due to Increased Compensation to Employees.

WASHINGTON, Nov. 12.—Postmaster-General Meyer announced to-day that the postal deficit for the fiscal year which ended June 30, 1908, amounted to \$16,910,278.90. The receipts were \$191,478,633.41, being \$7,892,657.84 greater than in the previous year, and the expenditures \$208,388,912.31. The deficit in the largest item, the cost of the postal service, was \$16,910,278.90.

In a statement accompanying the above announcement Mr. Meyer says that an analysis of the figures shows that \$9,891,821.92 represents the advance in the rate of compensation authorized by Congress for employees of the railway mail service, rural delivery service, delivery service and assistant postmasters and clerks in post offices. The normal increase in the revenue for several years was about 9 per cent, and in 1908 4.39 per cent, the falling off in the rate of growth being due to the financial disturbances of the year.

The Postmaster-General says that in his annual report he would call the attention of Congress to the fact that he is firmly convinced that the establishment of a special local parcels post confined to rural routes would tend to wipe out the postal deficit and would finally make the postal service self-sustaining. He is being of convenience to the farmer and a boon to the retail country merchants.

"There are now in operation more than 30,000 rural routes," he said. "They are serving a population of about 18,000,000 people, and should an average of fifty-five pounds of merchandise be carried by the rural carrier on each trip throughout the year it is estimated that \$18,000,000 would be realized. The rate would be five cents for the first pound and two cents for each additional pound up to eleven pounds, the maximum weight of a package. With the exception of a small percentage paid to postmasters in the fourth class for increased cancellations all revenue from this parcel post would be used for the maintenance of the road transportation whatever, the service being confined to packages mailed by bona fide merchants and patrons of the rural route from an administrative and business viewpoint it is most desirable that such legislation be enacted."

POLICE TO HELP EX-CONVICTS.

Jersey City Chief Tells of His Plan to Get Homes For Them.

Capt. James F. Larkins, chief of the Jersey City detective bureau, said yesterday that he proposes to establish an employment bureau for ex-convicts who are unable to find homes. He said that he wants men and women who are discharged from prison to file applications with him for jobs and he will make an effort to find them homes. He said that he will be most suited to them. He will try to place that convict whom he places will call at police headquarters once a week for the purpose of reporting how he is getting on. He said that he will keep in close touch with their employers. Larkins hopes he will be able to find enough public spirit men to help him in his proposed plan to help ex-convicts find homes.

NET FISHES AND FEVER.

Seekers of Gold and Coal Return From Regions North of Panama.

Baron F. B. von Teubner, who has been exploring the country north of Panama for gold and coal, returned yesterday by the Royal Mail steamship Magdalena with his brother Carl and three mining engineers. He said that his expedition was forced back by hostile Indians who were determined to ambush his two Indian guides and by sickness and black water and malarial fever, which prostrated the engineers. One of the engineers died. This was the first time that a party of explorers has been forced to abandon the fastnesses where he is sure there are gold and coal. He brings back some of the primitive inhabitants of the region and specimens of ancient pottery.

TAYLOR ROBBERY SUSPECT ARRESTED.

Philip Ferro, a diamond broker of 4913 Fifth Avenue, Brooklyn, picked up Bernard McGibney's picture out of the rogues' gallery yesterday and said he was one of three men he had seen following the car of Charles E. Taylor, who was shot and killed, on the morning of April 25, 1907, at 4312 Fifth Avenue a few hours before the Taylor family were held up and robbed by masked burglars last Saturday night. The police arrested McGibney on a charge of vagrancy. Mrs. Taylor and her daughter Alice looked at him, but couldn't identify him positively. He will be arraigned this morning.

HARRIMAN TO TALK ON RAILROAD OUTLOOK.

E. H. Harriman will speak on "The Outlook for the Railroads" before the Economic Club at a dinner at the Hotel Astor on November 30, though the annual dinner of the club will be given at the Waldorf-Astoria. His speech will be brief and informal. Other speakers and their topics are: Nicholas Murray Butler, "Conditions Necessary for Prosperity"; Cyrus McCormick, "The Future of Agriculture"; and Augustus Thomas, "High Tariff Prosperity."

MOVEMENTS OF NAVAL VESSELS.

WASHINGTON, Nov. 12.—The gunboat Scorpion has arrived at Gibraltar. The gunboat Indiana has sailed from Honolulu for Guam.

TARIFF ON WINES DISCUSSED.

REVISION COMMITTEE HEARS OBJECTIONS TO RECIPROcity AGREEMENT.

Which Let in Cheap Italian Wines—Reduction on Stout and Ale Urged Because They're Not a Luxury.

WASHINGTON, Nov. 12.—Wines were the subject of consideration by the Ways and Means Committee of the House of Representatives at the hearing to-day.

Mr. Underwood of Alabama added little levity to the dry proceedings, his distinguished subject of wet goods by making this innocent inquiry of one of the witnesses:

"What experience have you had with wine?"

"Absolutely none, except to help occasionally to drink them," was the answer. Another witness lent some entertainment by telling how cheap wine is in Italy, and how impossible it is to export American growers to go against Italian conditions. In one place in Sicily, he said, one could drink all the wine he wanted for an hour for 3 cents; in another locality one could do one's level best, consuming wine for two hours, for 3 cents. In one place that he knew of himself in southern Italy the rate had been cut to an hour for 3 cents.

California wine growers were represented by Percy T. Morgan. He gave figures showing a large falling off in the consumption of American wines and an increase in the consumption of Italian wines, and made the case for the revision of the tariff on wine. He said that the cause of it was the reciprocity arrangement, which he thought an unjust discrimination against the wine industry of this country.

Leo J. Vassallo, secretary of the American Wine Growers Association and publisher of a wine journal, declared that the reciprocity tariff that let in champagne of foreign countries at 25 cents a bottle did nobody any good except the foreign exporters. The cost of the wine to the American consumer had remained the same, and the 25 cents that the foreigner got by the concession was being used by him to fight the more extended introduction of American champagnes.

Two importers concluded the subject of wine and beverages, and they were distinguished from others in that they wanted the tariff reduced. The others, however, were not importers, but manufacturers.

An importer of stout and an Irish gentleman, C. M. King of New York, told the committee that stout was a "tonic beverage" and it ought to be admitted at a low rate, whereas the rate on it was higher than the rate on champagne and still wines. It was an article of family use and not a luxury, and as it cost more to manufacture than any American product he thought it should be admitted free. If the tariff were lowered the stout would be sold cheaper to the consumer.

For the importers of a brand of Bass ale John J. Wheeler asked that the tariff be lowered from 48 per cent to 25 cents a gallon. This ale sold for 25 cents a bottle, which he thought too much, and if the reduction were granted the price would be lessened to the consumer at retail nearly one-half and the revenue to the Government would be doubled.

WANT DUTY ON JUKE BAGGING ENLIGHTENED.

NEW ORLEANS, Nov. 12.—Anticipating action on the tariff by Congress at the coming session, the New Orleans Cotton Exchange has adopted resolutions asking for the duty on jute bagging to be lowered from 35 per cent to 25 cents a bale, and declaring it to be a direct tax on the cotton industry of the South for the benefit of a few manufacturers who are thus enabled to thrive at the expense of the most important class of agriculturists in the country.

The new Board of Trade has adopted resolutions asking Congress to maintain the present duty on rice.

PRINTERS WANT HIGHER RATE.

Typothetes Think Too Much Printed Matter Is Free.

The New York Typothetes decided yesterday to appoint a committee to appear before the Ways and Means Committee of the House of Representatives at Washington and ask for a reduction in the tariff on the foreign printed matter. The committee will meet the Ways and Means Committee by appointment about November 21. The following statement was made yesterday on behalf of the Typothetes:

Millions of dollars worth of printed matter which would be done in this country if there was a proper adjustment of the tariff on printed matter is now admitted free into this country yearly. In 1907 books and other printed matter to the value of \$27,181,151 worth of printed matter were imported into the country. The value of this printed matter to the value of \$3,072,127 on which duty was paid. Besides this, duty was paid on post cards, lithographs and other printed matter valued at \$3,899,542. We do not find fault with the administration of the tariff law as far as printing is concerned, but we believe the tariff as relates to printed matter needs readjustment. The fact that the value of the printed matter admitted free is so large a proportion of the whole matter imported shows the need of readjustment.

The Typothetes also decided to form a plan to unite together in one organization with the Typothetes the employers in all the graphic arts. It is proposed to have the employers, printers, stereotypers, bookbinders, electrotypers, and others united as a graphic arts association, each branch to constitute a class and each class to have autonomy except in matters affecting the entire industry. It was stated that this is not done to fight the unions, but to have the trade better organized. The matter will be brought up at the annual Franklin dinner at the Waldorf-Astoria on the 15th of this city on January 15.

TO BUILD BATTLESHIP UTAH.

The Contract Awarded to the New York Shipbuilding Company at \$3,940,000.

WASHINGTON, Nov. 12.—On the recommendation of the Board of Construction acting Secretary of the Navy Newberry to-day awarded the contract for building the battleship Utah to the New York Shipbuilding Company of Camden, N. J., at its bid of \$3,940,000. This company was the lowest bidder, the proposal being to build the battleship in twelve to twenty months on the Department's plans and specifications. The Utah will be fitted with turbine machinery.

This bid is slightly lower than that of the New York Shipbuilding and Dry Dock Company, which is building the Delaware, a battleship of practically the same size, for \$3,967,000.

The North Dakota, a sister ship to the Utah, which is building at Quincy, Mass., will cost \$4,375,000. The Florida, sister ship to the Utah, will be built at the New York Navy Yard. The Utah's displacement will be 23,000 tons, slightly greater than that of the North Dakota and the Delaware. Her other dimensions will be about the same as those of the semi-Dreadnoughts now building.

5,000 ACRES ADDED TO THE CATSKILL PRESERVE.

ALBANY, Nov. 12.—State Comptroller Glynn and State Forest, Fish and Game Commissioner Whipple to-day bought 5,000 acres of wooded land in the Catskills for an addition to the State forest preserve. Most of the land was purchased from the First National Bank of Saugerties and from the State of New York. The land was bought at \$4 to \$5 an acre. The preserve is on the eastern slope of the mountains and facing the Hudson River, in the towns of Woodstock, Ulster county, and Hunter, Greene county.

SIX CHINESE DROWNED.

Two End of an Attempt to Smuggle Ten Celestials Into the Country.

CHICAGO, Nov. 12.—Three smugglers and ten Chinamen trying to make the foot of Michigan street in a motor boat before daylight to-day were wrecked on the breakwater wall. Six of the Chinamen were drowned or killed by being dashed against the rocks. The four other clambered to the top and were rescued at day-light by the police tug.

Mock Quong, one of the rescued Chinamen, says the three white men were the first to clamber up the wall and aided Chin Ton, who was clinging to a rock. Quong then called for them to lend him a hand, but they called back:

"You fellows wait; we will be back after a while and help you."

The white men then disappeared and probably escaped, though how is a mystery. A great gap intervenes toward the land and the crews of the lake freighters moored inside the wall all deny to the police that they gave any assistance to the smugglers. The white men have vanished.

Mock Quong has a knowledge of English, which he picked up in a Sunday school at South Bend, Ind. He is 45 years old and while willing to tell about the boat trip he said that he did not know who arranged the smuggling party. With the nine other Chinamen, he said, he reached Toronto two weeks ago. Their next move was to Hamilton and then to another town near Buffalo, just across the river from Buffalo.

The price paid by a Chinaman to be smuggled into this country is \$500, so Quong and his companions represented \$3,000.

The next move on the part of the smugglers was on Wednesday night, when they drove to the barn and bundled the ten Chinamen into a wagon. Quong does not know where the motor boat was waiting for them with three white men. Two clinker boats were in tow of the motor boat. He believed it was about 10 o'clock at night when the motor boat drove out. At the start the boat was rough. Soon, however, they struck rough water and the boats rocked so that all except the white men became sick. Quong could not understand all that was going on, but grasped the meaning of the actions of the white men that they were in great danger.

Four battered bodies were fished out of the water. The bodies of the other two were wedged in the rocks and it will be impossible to pull them out until the storm abates.

OLD SEA FIGHTER DEAD.

Capt. Bone, Who Served With Farragut, Had Been Run Over by an Auto.

Capt. George William Bone of 532 St. Nicholas avenue, who served under Admiral Farragut during the civil war, died yesterday in the Washington Heights Hospital, where he was taken last Saturday morning, having been run over by an automobile.

Capt. Bone was born in Erie, Penn., in 1827, and in his early life was the captain and owner of a lake freighter. In 1861 he entered the service of the navy, serving first under Farragut and later at Mobile with Admiral Porter. One of Capt. Bone's recollections was of having led the great Admiral Evans with him in a trip down the Mississippi.

At the close of the war Capt. Bone left the navy and engaged in the shipping business in Buffalo. His wife died three years ago. He was married a second time in 1881 to a daughter of the late Capt. Bone lived with a granddaughter. His only daughter, who was the wife of Major James P. W. of St. Louis, died in 1901. He died last Monday and was buried yesterday.

B. H. Wisker, a real estate dealer of 133 East 128th street, the owner and driver of the automobile that ran over Capt. Bone, was charged with assault and locked up in the West 132d street police station. That charge has been changed to manslaughter.

Obituary Notes.

The Rev. Dr. John Denison Kingsbury, special representative of the executive board of the Home Missionary Society of which he was president, died at the close of the Spanish-American war, died of a complication of kidney and heart troubles. Dr. Kingsbury was one of the best known Congregational ministers in the United States. He had been engaged for the last seven years as special representative and as superintendent for the district of Arizona and Nevada. He was graduated from the University of Vermont in 1852 and from the theological seminary in 1858. In 1857 the degree of D. D. was conferred on him by the University of Vermont. He was twice married and had three children.

Dr. William Keith Brooks, Henry Walters professor of zoology at Johns Hopkins University and since the founding of that institution continuously in its service, died yesterday of a complication of kidney and heart troubles. Dr. Brooks' greatest practical service was performed in Maryland, where he was called to the University of Maryland in 1881 to be its first president. He was a member of the State's chief marine interest, the oyster. His book "The Foundation of the Oyster Industry in Maryland" is a classic. Dr. Brooks is survived by one son, Charles Brooks, an actuary of New York, and a daughter, Miss Alice Brooks, who lives with him at Brightside, Baltimore. He was born in Cleveland in 1846 and was graduated from the University of Michigan in 1868.

A. J. Ames of Wakefield, Mass., died yesterday in the Davenport Insane Hospital, of which he had been an inmate for several years. He was a native of Wakefield, Mass., and was a member of the State's chief marine interest, the oyster. He was a member of the State's chief marine interest, the oyster. He was a member of the State's chief marine interest, the oyster.

William B. Waring, a lawyer of New York, died at his home in Manhattan yesterday morning after an illness of several weeks. He was a member of the State's chief marine interest, the oyster. He was a member of the State's chief marine interest, the oyster.

John Newton Morehouse, the oldest employee in the service of the National Newark Banking Company, died on Wednesday night at his home, 88 Hollywood avenue, East Orange, N. J. He was 87 years old and was a member of the State's chief marine interest, the oyster.

John J. Miller, 87 years old, for thirty-three years a clerk in the life-saving service in the United States, died yesterday in the Washington Heights Hospital. He was a member of the State's chief marine interest, the oyster.

Edwin Wilkinson, who died on Tuesday at his home, 42 West 12th street, served as superintendent of the United States Arsenal at Watertown, N. Y., during the civil war. He was a gunsmith at Newburg in early life and was a veteran of the Fourteenth Regiment. He leaves a widow, son and two daughters.

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What America Is Adding To Musical Art

What impressed Paderewski most on his latest tour of this country, was the development in musical taste and the progress in piano-playing among the American public.

"There must be a corresponding progress in piano-making," he wrote to the Weber Piano Company, and—"You have realized it."

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has for more than a half century ranked among the few great pianos of the world. Today, in view of the recognition which has come from those who constitute the highest court of authority on matters musical, the Weber's artistic supremacy is more pronounced than ever.

It will not only interest you, but also impress you to see the advance in piano-making which excited Paderewski's admiration. The latest Weber models are here for your inspection.

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HEIR TO \$100,000 FOUND

DESTITUTE COUSIN, AGED 51, GETS J. W. RUSSELL'S ESTATE.

Long Search by Attorney-General Successful and New Jersey Leases the Property—Will That Gave It to East Orange Man's Housekeeper Forged.

TRENTON, N. J., Nov. 12.—By relinquishing its claim to the estate of the late J. Wells Russell of East Orange to-day the State of New Jersey has placed Mrs. Mary Wheeler Somerby of Newburyport, Mass., in a position to inherit property valued at more than \$100,000. Mrs. Somerby is a widow 51 years old and in destitute circumstances. She was a first cousin of Mr. Russell, but it took nearly three years to establish that fact.

Mr. Russell died intestate and an investigation failed to disclose any heirs to his estate. Attorney-General McCarter then instituted exchequer proceedings, under which the property would have reverted to the State.

Five claimants then appeared, among them being Miss Mary C. Clavin, who had been Mr. Russell's housekeeper and based her claim upon an alleged will. This was subsequently decreed to be a forgery, and Matthew J. Ready, a Newark lawyer, was indicted and sentenced to State prison for that offense. He took out a writ of error, which is pending in the Supreme Court.

The exchequer proceedings were then continued, but some time ago information came to the Attorney-General's office prompting the belief that Mr. Russell had some poor relations in Massachusetts that might be his legal heirs. A personal investigation of the case was made by Theodore Backus of the Attorney-General's office, who, after several weeks spent in tracing the Russell family tree in Massachusetts and Canada, established beyond question that Mrs. Somerby was a first cousin.

There were also several second cousins in and about Newburyport, some of whom it was found had in their possession documents which would have proved Mrs. Somerby's claim to the estate long ago. The more distant cousins, however, were disposed to be jealous over the fact that they could not share in the estate and refused to give any information. Mr. Russell himself during his lifetime frequently asserted that he had no relatives and his friends believe that he was unwilling to admit kinship with his poor cousins. The mother of Mrs. Somerby, a widow of a wealthy merchant, died in 1871, leaving her estate to her daughter, Mrs. Somerby, who was then 18 years old. She was a first cousin of Mr. Russell, but it took nearly three years to establish that fact.

The culmination of the litigation came to-day when Vice-Chancellor Wright filed an order, consented to by the Attorney-General, terminating the exchequer proceedings upon the grounds that the State was satisfied that Mrs. Somerby is the legal heir to the property.

Mr. Russell came into possession of his fortune through the death of his sister, Mrs. Ruggles Wright of Montreal. The estate consisted of realty in East Orange, New York and Montreal. Mr. Russell, who was past 80 years of age when he died, on November 28, 1895, was looked upon as an eccentric character. Mary C. Clavin, who is now about 35 years old, had been his nurse and housekeeper for twelve years prior to his death.

HIGH BAIL FOR STRIKER.

\$5,000 Fixed for Man Accused of Using Brass Knuckles.

The bail of Philip O'Brien, a striking taxicab chauffeur who is accused of having used brass knuckles on a strike breaker, was fixed at \$5,000 by Judge Mulqueen in Part I. of General Sessions yesterday.

The next man brought before me on such charge will be held in \$10,000," Judge Mulqueen said. "There is such a thing as law and order in the city, and you people must be taught to recognize this fact."

Alexander Schenck, the strike breaker, was driving through East Thirty-second street on the day of the assault with two passengers from the Hotel Imperial. A man hopped on the car, slugged Schenck in the face and ran. A special policeman who was with Schenck at the time saw O'Brien in Broadway yesterday and had him arrested on a bench warrant.

President Harry N. Allen of the New York Taxicab Company said yesterday that there has been another break in the ranks of the striking chauffeurs, forty-three of them having returned to work within the last two days.

Post Toasties

Crisp, Flavoury, Golden Brown Flakes.

A delicious dish for every meal—particularly breakfast.

Made of selected white corn.

"The Taste Lingers."

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